

JUSTIN C. BONUS, ESQ.

A T T O R N E Y A T L A W

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January 17, 2023

The Honorable Carol Bagley Amon
United States District Court
Eastern District of New York
225 Cadman Plaza
Brooklyn, NY 11201

Via: ECF

Re: Kingsberry v. Rockwood, 1:22-cv-06516-CBA
Subj.: Status Report

Your Honor:

As this Court knows, this office represents Mr. Kingsberry in the above captioned matter. Per the Court's order, I write this letter to provide a status update and request that the Court continue the stay in the case at bar.

On October 27, 2022, Mr. Kingsberry filed his petition for writ of habeas corpus. Within said petition, Mr. Kingsberry requested a stay based upon the fact that several claims were unexhausted before the state court. After receiving the Respondent's opposition and Mr. Kingsberry's letter in support of the stay, this Court granted the stay with a condition: that any state court litigation be filed within 30 days of November 17, 2022. This Court also requested that Mr. Kingsberry file a status update by December 19, 2022. Mr. Kingsberry filed a status report on the 19th and was granted an extension to file his state post-conviction motion. This Court also ordered Mr. Kingsberry to file another status report on January 17, 2023.

Today, Mr. Kingsberry has filed his NY CPL § 440.10 to exhaust his state court remedies. As such, Mr. Kingsberry requests that the Court continue the stay on the proceedings.

I thank the Court for its consideration. If you should have any questions or concerns, do not hesitate to contact me.

Sincerely,

JUSTIN BONUS, ESQ.

/s/Justin Bonus
Justin Bonus, Esq.